



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Duncan *et al.*

Application No. 10/018,608

Filed: July 30, 2002

Confirmation No. 5088

For: BIOLOGICALLY ACTIVE MATERIALS

Examiner: Peselev

Art Unit: 1623

Attorney Reference No. 5585-61534

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Agent
for Applicant(s)

Date Mailed October 31, 2003

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

**AMENDMENT AND RESPONSE TO
NON-FINAL OFFICE ACTION**

This Amendment and Response to Non-Final Office Action ("Amendment") is filed in response to the non-final Office action dated May 1, 2003. A three-month period for reply was set, making a response due on or before August 1, 2003. Applicants hereby petition for a three-month extension of time and a three-month extension fee is enclosed; thus, a response is due on or before November 1, 2003.

Please amend the referenced application as follows:

Amendments to the Specification begin on page 2.

Amendments to the claims are reflected in the listing of claims, which begins on page 3.

Remarks begin on page 6.

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TRANSMITTAL LETTER

Enclosed is an Amendment and Response to Non-Final Office Action for the above application.
The fee has been calculated as shown below.

CLAIMS AS AMENDED

For	No. after amendment	No. paid for previously	Present Extra	Rate	Fee
Total Claims	21	- 21*	= 0	\$18.00	\$ 0.00
Indep. Claims	2	3**	= 0	\$86.00	\$ 0.00
Mult. Dep. Claims Fee (if not previously paid)				\$290.00	
One-month Extension of Time				\$110.00	
Two-month Extension of Time				\$420.00	
Three-month Extension of Time				\$950.00	\$950.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$950.00

* greater of twenty or number for which fee has been paid.

** greater of three or number for which fee has been paid.

☒ Applicants petition for a three-month extension of time as indicated above. If an
additional extension of time is required please consider this a petition therefor.

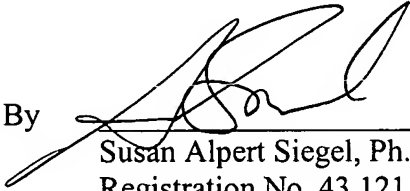
☒ A check in the amount of \$950.00 is attached.

- ☒ Please charge any additional fees that may be required in connection with filing this amendment and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By



Susan Alpert Siegel, Ph.D.
Registration No. 43,121

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cc: Docketing